

August 21, 2015

John Doe
Montana Department of Environmental Quality
1520 East 6th Avenue
Helena, MT 59620-0901

RE: Authorization No. **MTB00XXXX** Short-Term Water Quality Standard for Turbidity Related to Construction Activity Pursuant to 75-5-318, MCA
VALID August 21, 2015 through August 21, 2016

Dear Mr. Doe:

The Montana Department of Environmental Quality Water Protection Bureau has completed our review of your application for activity on **Metcalfe Creek (Section 29, Township 10 North, Range 3 West)** in **Lewis and Clark County**. This activity herewith is qualified for a temporary surface water quality turbidity standard if it is carried out in accordance with the following conditions:

- (1) Construction activities in or near the watercourse are to be limited to the minimum area necessary, and conducted so as to minimize increases in suspended solids and turbidity which may degrade water quality and damage aquatic life outside the immediate area of operation,
- (2) The use of machinery in the watercourse shall be avoided unless absolutely necessary. To prevent leaks of petroleum products into waterways, no defective equipment shall be operated in the watercourse or adjacent areas capable of contributing surface flow to the watercourse,
- (3) Precautions shall be taken to prevent spillage of any petroleum products, chemicals or other deleterious material in or near the watercourse, and no equipment shall be fueled or serviced in adjacent areas capable of contributing surface flow to the watercourse,
- (4) All disturbed areas on the streambank and adjacent areas created by the construction activity shall be protected with temporary erosion control during construction activities. These areas shall be reclaimed with appropriate erosion control measures and revegetated to provide long-term erosion control,
- (5) Any excess material generated from this project must be disposed of above the ordinary high water mark, not classified as a wetland, and in a position not to cause pollution to State waters,

- (6) Clearing of vegetation will be limited to that which is absolutely necessary for construction of the project,
- (7) The use of asphalt or petroleum-based products as riprap is strictly prohibited. Its use as fill material is also prohibited if it is placed in a location where it is likely to cause pollution of State waters,
- (8) This authorization does not authorize a point source surface water discharge. A MPDES permit is required for said discharge, and
- (9) The applicant must conduct all activities in full and complete compliance with all terms and conditions of any permit for this activity issued pursuant to the Montana Natural Streambed and Land Preservation Act (310 permit) or the Montana Stream Protection Act (124 permit), and any valid Memorandum of Agreement and Authorization (MAA) negotiated for this activity, and
- (10) All stream work shall be completed between October 1 and December 15, 2015 to avoid disrupting bull trout spawning migration through the reach.

This authorization is valid for the period noted. No authorization is valid for more than a one-year period of time.

Any violations of the conditions of this authorization may be subject to an enforcement action pursuant to the applicable provisions of the Montana Water Quality Act.

This authorization is granted pursuant to 75-5-318, MCA, and only applies to the activity described by your application. Any modification of the activity described in your application which may result in additional turbidity in the stream must receive prior approval from the Department. You may contact me at (406) 444-3080.

Sincerely,

Bureau Chief
Water Protection Bureau
Permitting & Compliance Division

cc: Lewis and Clark Conservation District